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IMPLEMENTATION OF THE GLOBAL PROGRAMME OF ACTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT FROM LAND-BASED ACTIVITIES 1/

REPORT OF THE ADMINISTRATIVE COMMITTEE ON COORDINATION TO THE UNEP GOVERNING COUNCIL ON INTERNATIONAL COOPERATION IN THE FIELD OF THE ENVIRONMENT

Introduction

1. The present report is submitted to the Governing Council of the United Nations Environment Programme (UNEP) by the Administrative Committee on Coordination (ACC) pursuant to General Assembly resolutions 2997 (XXVII) of 15 December 1972 on "Institutional and Financial Arrangements for the International Environmental Cooperation" and 32/197 of 20 December 1977 on the restructuring of the economic and social sectors of the United Nations system, as well as UNEP Governing Council decision 18/27 B of 25 May 1995 which, inter alia, requested ACC to continue to report to the Council at its regular sessions.

2. The topic of "Implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities" was selected for the current report in consultation with members of ACC.

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* UNEP/GC.19/1.

1/ The UNEP secretariat will apprise the Governing Council at its nineteenth session of any developments of relevance that may have taken place subsequent to the endorsement of this report by the ACC.

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3. The bulk of the world's population live in coastal areas and there is a continuing trend towards further concentration in these areas. The health, well-being and, in some cases, the very survival of coastal populations depend on the state of the environment of coastal systems, estuaries and wetlands as well as their associated watersheds and drainage basins and near-shore coastal waters. However, the major threats to the health, productivity and biodiversity of the marine environment result from human activities on land. Most of the pollution loads, including municipal, industrial and agricultural wastes and run-off, as well as atmospheric deposition, emanate from land-based activities and affect the most productive areas of the marine environment, including estuaries and near-shore coastal waters. Many observations indicate that marine oil pollution from land-based sources may be higher than that from sea-based origins.

4. In responding to the need for international action, the UNEP Governing Council in its decision 10/24 of 31 May 1982 initiated a process leading subsequently to the adoption in 1985 of the Montreal Guidelines for the Protection of the Marine Environment Against Pollution from Land-based Sources. In addition, the UNEP/World Meteorological Organization (WMO)-sponsored Intergovernmental Panel on Climate Change (IPCC) made a number of relevant recommendations concerning the impact of climate change on coastal zone management. Following the United Nations Conference on Environment and Development (UNCED), which placed protection of the marine environment in the context of sustainable development, the Governing Council in its decision 17/20 of 21 May 1993 mandated the Executive Director of UNEP to initiate a preparatory process for the purpose of facilitating the adoption by Governments of a global programme of action for the protection of the marine environment from land-based activities. Pursuant to that decision, the Intergovernmental Conference to Adopt a Global Programme of Action for the Protection of the Marine Environment from Land-based Activities was convened in Washington D.C. from 23 October to 3 November 1995. The Global Programme of Action as well as the Washington Declaration on the Protection of the Marine Environment from Land-based Activities were adopted on 3 November 1995.

5. A number of United Nations agencies and intergovernmental and non-governmental organizations participated in the process leading to the Washington Conference and in the conference itself. The following United Nations specialized agencies and organizations of the United Nations system were present at the Conference: United Nations Development Programme (UNDP), Food and Agriculture Organization of the United Nations (FAO), International Atomic Energy Agency (IAEA), International Maritime Organization (IMO), Intergovernmental Oceanographic Commission of United Nations Educational, Scientific and Cultural Organization (UNESCO/IOC), United Nations Industrial Development Organization (UNIDO), World Bank, World Health Organization (WHO), World Meteorological Organization (WMO) and Global Environment Facility (GEF).

6. The Global Programme of Action adopted at the Washington Conference contained a request to UNEP to prepare a proposal setting forth a specific plan for implementing the institutional arrangements contained in the Global Programme of Action. The UNEP proposals were subsequently discussed at the Inter-sessional Ad Hoc Open-ended Working Group of the Commission on Sustainable Development (CSD), which met in New York from 26 February to

1 March 1996, and by the CSD itself at its fourth session. In line with the request of the Commission and in accordance with its recommendations, UNEP has prepared a revised version of the Global Programme of Action implementation plan. The draft proposals will be circulated for consideration of involved United Nations agencies and organizations prior to the nineteenth session of the UNEP Governing Council.

7. In considering the follow-up to the Washington Conference, CSD prepared a draft General Assembly decision, subsequently endorsed by the Economic and Social Council (ECOSOC) at its 1996 session, recommending that the General Assembly adopt the draft resolution on "Institutional Arrangements for the Implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities". This draft resolution endorses, inter alia, the Washington Declaration and the Global Programme of Action and stresses the need for international and interagency cooperation for the implementation of the Global Programme of Action.

8. The draft resolution of the General Assembly as prepared by CSD contains, inter alia, the invitation for States to take action for the formal endorsement by each competent international organization of those parts of the Global Programme of Action which are relevant to their mandates and to accord appropriate priority to the implementation of the Global Programme of Action in the work programme of each organization. The governing bodies of the following organizations are to be invited to take action: UNEP, UNDP, United Nations Centre for Human Settlements (UNCHS) (Habitat), FAO, WHO, IMO, IAEA, International Labour Organization (ILO), UNIDO, UNESCO/IOC, the relevant bodies of the International Monetary Fund (IMF) and the World Bank, as well as other competent international and regional organizations within and outside the United Nations system.

Global Programme of Action - involvement of the whole United Nations system

9. The Global Programme of Action stipulates that, for its effective implementation, UNEP should maintain a close partnership with other organizations and bodies, such as IMO, WHO, FAO, WMO, UNDP, UNIDO, UNESCO/IOC, IAEA, the World Bank and regional development banks, GEF and UNCHS as well as regional bodies supporting the implementation of regional seas and relevant freshwater programmes. The Global Programme of Action stresses that an appropriate division of tasks is of utmost importance to ensure its efficient and cost-effective implementation.

10. The Global Programme of Action implementation plan was prepared by UNEP after a series of consultations with various United Nations organizations as well as other intergovernmental and non-governmental organizations. The inter-agency consultations to review the UNEP Proposal for Coordinating Agency Activities in Support of Implementation of the Global Programme of Action were held in New York on 30 January 1996 and included the participation of, inter alia, the United Nations Department for Policy Coordination and Sustainable Development (DPCSD), the United Nations Division for Ocean Affairs and the Law of the Sea (UN/DOALOS), UNIDO, IAEA, WHO, IMO, FAO, WMO, UNDP, the Coordination Unit for the Mediterranean Action Plan (MEDU) of UNEP, World Conservation Union - IUCN, the World Bank, as well as Commission Permanente del Pacifico Sur (CPPS), the South Pacific Regional Environment Programme (SPREP), and UNESCO/IOC.

11. The agencies participating in the meeting welcomed UNEP's role as Secretariat in facilitating the implementation of the Global Programme of Action. They also agreed that specific responsibilities, the designation of lead agencies/ organizations and priorities would have to be clearly identified. It was also stressed that more emphasis should be placed on the partnerships of UNEP with other agencies and organizations in implementing the Global Programme of Action.

12. In the proposal submitted by UNEP to CSD at its fourth session on the institutional arrangements and Implementation of the Global Programme of Action, the collaboration of UNEP with the partner agencies places Global Programme of Action implementation in a wider context, encompassing, inter alia, concern for human health (WHO); productivity of coastal areas (FAO); loss of biodiversity (Convention on Biological Diversity and others); retarded development and poverty (UNDP); shifting demographic patterns (UNCHS); declining food security (FAO, World Food Programme (WFP)); global environment change (International Geosphere-Biosphere Programme - (IGBP) of the International Council of Scientific Unions (ICSU); nature conservation (World Wildlife Fund - (WWF), World Conservation Union - IUCN); marine pollution monitoring and radiation protection (IAEA); and others. Subsequently, WMO has also expressed interest in being involved in relevant activities.

Inter-agency coordination in the implementation of the Global Programme of Action

The role of UNEP

13. UNEP's proposal on institutional arrangements and implementation of the Global Programme of Action (to be presented to the Governing Council at its nineteenth session) was submitted to the ad hoc Working Group of CSD and to the Commission itself at its fourth session. It is being revised along the lines of the draft General Assembly resolution as prepared by the fourth session of CSD, and addresses comments and suggestions provided by Governments.

14. The Washington Conference designated UNEP the Secretariat of the Global Programme of Action, with the task of promoting and facilitating its implementation at the national, regional and global levels. In this respect UNEP will attempt to ensure the coordination of the relevant activities within its own programme and facilitate the coordination of relevant activities of partner agencies in the United Nations system with respect to activities in which they play a leading role. UNEP's role as Secretariat of the Global Programme of Action will include, in particular, the establishment of the clearing-house mechanism, including consultations with concerned United Nations agencies on the design of the mechanism and the convening of intergovernmental meetings to review progress in Global Programme of Action implementation.

15. As stipulated in the Global Programme of Action, UNEP is coordinating its implementation in particular through its Regional Seas Programmes. The existing Regional Seas Programmes provide a "ready-made" programmatic, institutional and legal framework and organizational infrastructure for the implementation of the Global Programme of Action and also benefit from mutually supportive activities undertaken in a wider global framework.

The Global Programme of Action Coordination Office

16. An interim Global Programme of Action Coordination Office has been established within the UNEP Water Branch, in order to assist in the discharging of UNEP's secretariat functions as the focal point for the coordinated implementation of the programme.

17. In addition, the Global Programme of Action Coordination Office will facilitate the collaboration of partner agencies in a number of specific fields including, inter alia:

- collection, analysis, evaluation and dissemination of data relevant to the Global Programme of Action;

- assistance in formulation of national, subregional and regional action programmes;

- strengthening existing or fostering the creation of new regional and subregional cooperative arrangements related to the Global Programme of Action;

- assistance for strengthening or building national capacities for the implementation of the Global Programme of Action.

Steering Committee for the Global Programme of Action

18. To facilitate technical coordination and cooperation, a Steering Committee for the Global Programme of Action will be formed, with representation from regional and international organizations which have primary roles and responsibilities in its implementation. According to the proposal, the meetings of the Committee would be organized by the Coordination Office and chaired by the representative of UNEP. The meetings would review the status of the implementation of the programme, experience gained, problems encountered, assistance required, plans for the forthcoming period and ways and means to provide effective support to the implementation of the Global Programme of Action through improved cooperation between UNEP and its partner agencies, including WHO, FAO, IAEA, IMO, WMO and UNESCO/IOC. It has been proposed that the ACC Subcommittee on Oceans and Coastal Areas be considered to perform the functions of the Steering Committee.

The ACC Subcommittee on Oceans and Coastal Areas

19. At its fourth session in May 1996, the ACC Subcommittee on Oceans and Coastal Areas agreed that the Global Programme of Action and its future implementation plans would be considered as the cooperative programme framework for programme areas A and B (ii) as set forth in chapter 17 of Agenda 21 "Protection of the Oceans, all kinds of seas, including enclosed and semi-enclosed seas, and coastal areas and the protection, rational use and development of their living resources". To allow for appropriate inter-agency consultation on related policy aspects, the Subcommittee will include a specific agenda item on the Global Programme of Action at each of its annual meetings. It was noted that technical aspects could be discussed in conjunction with meetings of GESAMP (the Group of Experts on the Scientific

Aspects of Marine Pollution, sponsored by IMO, FAO, UNESCO/IOC, WMO, WHO, IAEA and the United Nations and UNEP). An informal meeting of the Subcommittee is expected in November 1996 (IMO, London) to focus on Global Programme of Action implementation and prepare recommendations to be considered at the fifth session of the Subcommittee (January 1997: World Bank, Washington, D.C.). UNEP will assume the Chair of the Subcommittee, and the United Nations the Vice-Chair, as of 1 January 1997. The Secretariat will continue to be provided by UNESCO/IOC.

The ACC Subcommittee on Water

20. The ACC Subcommittee on Water will discuss its role and the Global Programme of Action implementation at its forthcoming meeting (7-11 October 1996).

Regional implementation of the Global Programme of Action

21. The Intersecretariat Consultation on Implementation of the Global Programme of Action (Geneva, 13-14 May 1996) convened by UNEP, discussed, inter alia, the possibilities of improving regional cooperation between agencies and the role of these agencies in implementing the Global Programme of Action at the regional level. The consultation was attended by regional programmes (Black Sea Environmental Programme, Caribbean Environment Programme, South-East Pacific Action Plan, Mediterranean Action Plan, North-West Pacific Action Plan, Oslo and Paris Commissions, South Asia Environment Cooperation Programme, South Pacific Regional Environment Programme) as well as by UNEP's Regional Office for Europe, the Division of Environmental Information and Assessment, United Nations System-wide Earthwatch, UNEP's Global Environment Facility Unit and the Water Branch. UNEP's plans for coordinating and facilitating implementation of the Global Programme of Action were also considered, including the role for the regional secretariats as well as actions of a global scope requiring cooperation and inputs from regions.

22. United Nations Regional Commissions have an important role to play in Global Programme of Action implementation through, inter alia, provision of their expertise in examining the socio-economic origins of certain processes of contamination and in identifying adequate policy instruments to deal with marine and coastal contamination in the framework of overall development strategies and policies in each region.

23. The coordinated application of a number of other regional environmental conventions will also directly contribute to the implementation of the Global Programme of Action.

Clearing-house mechanism

24. The draft General Assembly resolution prepared by Governments at CSD called upon UNEP to take expeditious action to provide for the establishment and implementation of the clearing-house mechanism. It also requested the establishment of the inter-organizational group to develop the basic design and structure of the clearing-house data directory and its linkages to information delivery mechanisms. The resolution also specified (and called

upon States to take appropriate action in relevant governing bodies) those United Nations agencies and programmes which are to take the lead in coordinating the development of the clearing-house mechanism with respect to the following pollution source categories:

- sewage - WHO;

- persistent organic pollutants - Inter-organizational Programme for the Sound Management of Chemicals (UNEP, WHO, FAO, UNIDO, ILO, Organisation for Economic Cooperation and Development (OECD)), International Programme on Chemical Safety (UNEP, WHO, ILO) and the Intergovernmental Forum on Chemical Safety (IFCS);

- heavy metals - UNEP in cooperation with the Inter-organizational Programme for the Sound Management of Chemicals (IOMC);

- radioactive substances - IAEA;

- nutrients and sediments mobilization - FAO;

- oils (hydrocarbons) and litter - IMO 2/;

- physical alterations, including habitat modification and destruction of areas of concern - UNEP.

25. The Joint Inter-agency/Intersecretariat Consultation on Implementation of the Global Programme of Action (Geneva, 15-16 May 1996) also discussed the clearing-house mechanism. UNEP's Water Branch will have overall responsibility for setting up the clearing-house, to be undertaken by the Coordination Office, when established. A technical meeting of some of the potential users and agencies is planned to prepare the initial specifications which will be based, as far as possible, on established systems (Geneva, 26-27 September 1996).

26. Existing regional information systems of various organizations will be examined from the point of view of their wider applicability in the mechanism. The meeting will address both the information structure as well as types of software and Internet connections appropriate for the first trial version of the clearing-house. A system of Internet links among agencies in order to be able to provide information needed by Governments is currently being developed.

Assessment of the state of oceans and coastal waters

27. The Global Programme of Action states that, at the global level, there is a need for regular reviews of the state of the world marine environment, and recommended the establishment of linkages among international programmes

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2/ IMO subsequently indicated that its involvement would be limited to the obligations arising from the International Convention for the Prevention of Pollution from Ships (MARPOL) 73/78, the London Dumping Convention and other IMO instruments, as appropriate.

involved in monitoring and assessing the state of the marine environment and the relevant rivers system. In this context, the Global Programme of Action identified GESAMP as a body which should undertake scientific assessments of land-based impacts on the marine environment in the context of the implementation of the Global Programme of Action.

28. Based on a UNEP proposal presented to the XXVI session of GESAMP (Paris, 25-29 March 1996), GESAMP established a Working Group on Marine Environmental Assessments, with UNEP as the leading agency, and sponsored by IMO, FAO, UNESCO/IOC, WMO, WHO, IAEA and the United Nations. The terms of reference for this Working Group include undertaking major periodic assessments of the condition of the marine environment and the preparation of a report on land-based sources and activities affecting the quality and uses of the marine, coastal and associated freshwater environment. The Working Group met from 17-18 May 1996 in Geneva, and established its working procedures, including the role to be played by GESAMP's sponsoring agencies in terms of substantive and financial contributions. The Working Group established a subgroup to prepare the report on impacts of land-based sources and activities affecting the quality and uses of the marine coastal and associated freshwater environment. A preliminary workplan was also adopted for the preparation of the state of marine environment report for the year 2002, and a report on impacts of land-based sources and activities, by mid 1998.

Persistent Organic Pollutants (POPs)

29. The Washington Conference also stressed the need for cooperation to establish a legally binding instrument for the control of persistent organic pollutants (POPs) and the required action to enhance wastewater treatment and management. Action to respond to these demands has been taken by UNEP in cooperation with relevant agencies and, in particular, through the IOMC, the International Programme on Chemical Safety and the IFCS. Prior to the Washington Conference, in its decision 18/32, the UNEP Governing Council had already invited the IOMC to initiate an assessment process on POPs, starting with a list of 12 substances. It further invited the IFCS to make recommendations and provide information to prepare a draft decision concerning international action on POPs, for consideration at the 1997 session of UNEP Governing Council and the World Health Assembly. In October 1995, an ad hoc Working Group on POPs was convened by UNEP on behalf of IOMC and developed a workplan, which was subsequently adopted by the second meeting of the Intersessional Group of IFCS (Canberra, Australia, March 1996). Another IFCS-sponsored meeting was convened in Manila, Philippines, in June 1996 to discuss, inter alia, realistic response strategies, policies and mechanisms for reducing and/or eliminating emissions, discharges and losses of POPs. The meeting has prepared a number of recommendations for submission to the nineteenth session of the UNEP Governing Council (Final Report of the meeting of the IFCS ad hoc Working Group on Persistent Organic Pollutants, IFCS/WG.POP/Report 1) and to the 1997 session of the World Health Assembly on the action required as related to POP's.

30. In dealing with POPs, particular attention will be placed to the existing conventions, or other instruments which are currently under preparation (as for example, the additional protocols to the 1979 ECE Convention on Long-range Transboundary Air Pollution) and which will serve as a possible stepping stone for the subsequent global action.

ACC RECOMMENDATIONS TO THE UNEP GOVERNING COUNCIL

(a) ACC underscores the importance it attaches to the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities and the Washington Declaration as adopted at the Washington Conference (23 October-3 November 1995). In this regard, it emphasizes the importance of concerted and coordinated action within the United Nations system undertaken with a view to the effective and goal-oriented implementation of the programme. It therefore recommends that the UNEP Governing Council endorse the efforts of involved United Nations system organizations to develop an effective coordination mechanism and invites the UNEP Governing Council to emphasize the need for further strengthening of inter-agency cooperation in this regard.

(b) ACC welcomes the role of UNEP as secretariat of the programme, and its primary role in facilitating the coordination of the required follow-up action as well as its role in the substantive implementation of the programme, and invites the UNEP Governing Council to give due attention to these activities of UNEP when considering its future work programme and the budget for the biennium 1998-1999.

(c) In view of the concerted system-wide effort required in the implementation of the Global Programme of Action, ACC urges the UNEP Governing Council and all relevant intergovernmental bodies to consider the need to allocate sufficient resources for the implementation of the Global Programme of Action. In this respect, ACC highlights the need for relevant intergovernmental bodies and United Nations system organizations to mobilize additional resources for the implementation of this important initiative.

(d) ACC draws the attention of the UNEP Governing Council to the steps already undertaken by the Global Programme of Action secretariat to seek additional funding, particularly for regional-level implementation of the Global Programme of Action, with the Global Environment Facility. At this stage, regional organizations have been requested to prepare relevant proposals for implementation of the Global Programme of Action at the regional level, for consideration for GEF funding. ACC invites the UNEP Governing Council to consider inviting the GEF General Assembly and its Council to give adequate consideration to financing of projects that support the objectives of the Global Programme of Action.

(e) ACC also draws the attention of the UNEP Governing Council to the draft resolution to be considered at the 51st session of the General Assembly on the implementation of the Global Programme of Action, requesting the formal endorsement by each competent international organization of those parts of the Global Programme of Action which are relevant to their mandates and the according of appropriate priority to the implementation of the Global Programme of Action in the work programme of each organization.

(f) ACC further recommends that the Governing Council request the UNEP Executive Director to transmit this report to the governing bodies of those organizations for their information, when considering this matter.